

*Pazer, Epstein & Jaffe, P.C.*

ATTORNEYS AT LAW  
20 VESEY STREET  
NEW YORK, NEW YORK 10007  
(212) 227-1212

MARK J. EPSTEIN  
MICHAEL JAFFE  
MATTHEW J. FEIN  
EUGENE GOZENPUT

July 5, 2016

FACSIMILE (212) 374-1778  
SUFFOLK OFFICE  
1776 E. JERICHO TURNPIKE  
HUNTINGTON, N.Y. 11743  
(631) 864-2429

PERRY PAZER  
OF COUNSEL  
The Honorable Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

Re: Creighton v. City of New York, et al.  
12 CV 7454 (PGG)

Your Honor:

Counsel write jointly regarding the schedule for filing the Joint Pre-Trial Order and other pre-trial submissions.

In light of the pending summary judgment motions, counsel jointly request that the Court adjust the pre-trial submission dates pursuant to ¶10(A) of the Your Honor's Individual Rules of Practice.

Briefing on the parties' respective summary judgment motions is underway, with the motions papers to be filed later this month under the Court's bundling rule. Under the current schedule, the Joint Pre-Trial Order, motions *in limine*, proposed voir dire, charges, and verdict sheet are to be submitted by August 1, 2016, with response to *in limine* motions filed by August 8, 2016.

Your Honor's Individual Rules of Practice, ¶10(A), states that, where dispositive motions are made, the Joint Pre-Trial Order should not be submitted until thirty days after a decision on the motions.

The summary judgment motion will impact what issues and which parties remain for trial, and the Joint Pre-Trial Order, motions *in limine*, voir dire, charges, and verdict sheet will need to account for the Court's rulings.

Counsel, therefore, jointly respectfully request that the time to submit the Joint Pre-Trial Order, motions *in limine*, charges, and verdict sheet be extended to thirty days from the date on which Your Honor rules on the summary judgment motions.

We thank the Court for its consideration herein.

Respectfully submitted,

PAZER, EPSTEIN & JAFFE, P.C.

A handwritten signature in black ink, appearing to read "Michael Jaffe". The signature is fluid and cursive, with the first and last names being more prominent.

BY: MICHAEL JAFFE

RUBERT & GROSS, P.C.

A handwritten signature in black ink, appearing to read "Richard Gross". The signature is cursive and somewhat stylized.

BY: RICHARD GROSS

CORPORATION COUNSEL  
THE CITY OF NEW YORK

A handwritten signature in black ink, appearing to read "Kavin Thadani". The signature is cursive and clearly legible.

BY: KAVIN THADANI